

Notice of Allowability

Application No.

09/638,847

Examiner

John M Winter

Applicant(s)

DRUMMOND ET AL.

Art Unit

3621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to The Amendment files on March 15, 2005.
2. ☒ The allowed claim(s) is/are 19,20 and 35-48.
3. ☒ The drawings filed on 14 August 2000 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

JAMES P. TRAMMELL

SUPERVISORY PATENT EXAMINER

Art Unit: 3621

Detailed Action

Status

Claims 19-20 and 35-48 remain pending.

Allowable Subject Matter

Claims 19-20 and 35-48 are allowed over the prior art record.

1. The following is an Examiner's statement of reasons for allowance:
2. The closest prior art of record Ward (US Patent 4,636,947) teaches a system for ATM scheduling. HP reliable transaction router teaches fault tolerance transactions. OKI electric (JP 2000029968) teaches a method for monitoring ATMS usage.

What they fail to teach or suggest:

A. determining through operation of the at least one processor that the first transaction function device is not available to carry out the first transaction function
function storing in the at least one data store through operation of the at least one processor data specifying at least one second capability associated with a plurality of transaction function devices; selecting through operation of the at least one processor a second transaction function device responsive to the first rule and the data specifying the at least one second capability and performing responsive to the selection in the first transaction function with the automated banking machine through operation of from second transaction function device.

This distinct feature renders claim 19 allowable.

Claim 20 is dependant upon claim 19 and have all of the limitations of claim 19 and is allowable for the same reasons.

B. through operation of at least one processor, storing a plurality of rules for the automated transaction machine, wherein the rules correspond to at least one sequence of a plurality of transaction function devices in operative connection with the automated transaction machine each of which transaction function devices is capable of carrying out a substantially equivalent first transaction function

This distinct feature renders claim 35 allowable.

Claims 36-45 are dependant upon claim 35 and have all of the limitations of claim 35 and are allowable for the same reasons.

C.
selecting through operation of the at least one processor a second transaction function device responsive to the at least one of the rules and the data specifying the at least one

Art Unit: 3621

capability; and performing responsive to the in the first transaction function with the automated banking machine through operation of the second transaction function device

This distinct feature renders claims 46-48 allowable.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to John M Winter whose telephone number is (703) 305-3971. The examiner can normally be reached on M-F 8:30-6, 1st Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James P Trammell can be reached on (703)305-9768. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

JMW

March 18, 2005